

## BADLY MARRIED

Divorced Wife of T. F. H. Morton Wants Her Dower.

## DECEASED REMARRIED

MRS. CRINER, NEE MORTON, NOW DENIES DIVORCE.

Will of Bishop S. A. Woolley Filed For Probate—Suit Filed by Farmer for Damages to His Crops by Trespassing Animals—Supreme Court Decides Again Silver King.

Mary A. Criner yesterday filed a petition with the county clerk and there by hangs a tale. The petitioner is the wife of T. F. H. Morton, a mining man of this city. The title of the story is that she claims to be the widow of Thomas F. H. Morton, who died a year ago last April, and claims a widow's interest in the estate he left, viz., a homestead, or an administration of dower and holding. According to Mrs. Criner's plea she married Thomas F. H. Morton a quarter of a century ago. There was domestic trouble and suit for divorce was commenced. How far the suit went seems to be the lever upon which Mrs. Criner now bases her claim for a share in the property left. The presumption is that both husband and wife had the idea that the marriage had been set aside. But now Mrs. Criner comes out with the statement that the divorce was never granted. She claims that she has secured the records to verify her statement.

On the ground that she was never legally divorced from her former husband, Mrs. Criner now seeks to oust Mrs. Julia A. C. Morton, whom the deceased names in his will as "his loving wife," appointing her executrix, trustee and residuary legatee under his will, and giving her plenary power to dispose of all real and personal property in any way she might see fit, specifically "waiving all authority of the probate or any other court, and vesting in her the power to transfer such deeds and bills of sale of the property sold by her as would in one case convey a title in fee simple and in the other an undivided and full title." Mr. Morton's will was admitted to probate almost four years before his demise. His estate is estimated to be worth \$12,000.

Shortly after the suit for divorce was filed Mrs. Criner says that she made her second matrimonial venture. Mr. Morton followed suit. He left a family of three daughters and two sons. One of his daughters, Melissa E. McLellan, predeceased him. The other children are Laura G. M. Tutts, Flora G. Morton, the divorced wife of Robert Cowan; Julia Myrtle Morton, Mrs. F. H. Morton; and Anna E. Morton. The will was admitted to probate by Judge Hiles May 6, 1899.

Mrs. Criner's petition will be heard by Judge Hiles next Saturday. Assistant County Attorney Cannon has charge of Mrs. Criner's case, and Ferguson & Cannon represent the Morton estate.

## MINING SUIT ON TRIAL.

Title and Purchase Price of Mining Claims in Controversy.

The case of William Smedley and Mary A. Smedley vs. the Fortune Mining & Milling company had a hearing before Judge Cherry yesterday afternoon. The plaintiff was represented by Judge Day. Attorney Looftrow presented a demurrer on the ground that the action ought to be foreclosed in equity. The demurrer was overruled. The action concerns the Evergreen and Rustle lode mining claims in Bingham. The plea of the plaintiffs is that they sold a half interest in the claims to the defendant company on Nov. 15, 1899. The price to be paid for the purchase was \$6,000; \$1,000 of this amount was to be paid on Jan. 1, 1900, and \$500 a month for the months of February, March, April and May, the balance, \$3,000, to be paid on June 1. The plaintiffs allege that the defendant has wholly failed to pay the purchase price, and that the purchase price has not been paid on the purchase price so far. Suit was commenced on Feb. 10. The plaintiffs ask judgment for \$1,000, with interest on \$500 thereof at the rate of 8 per cent from March 1 and on the remaining \$500 from April 1.

## NON-SUIT WAS IN ERROR.

Decision That Damage Case Against Silver King Must Be Tried.

The supreme court reversed a decision by Judge Rolapp yesterday in the case of Mary Ann Lewis vs. the Silver King Mining company. The trial court found judgment for the defendant company, and the plaintiff appealed to the higher court.

Last August John A. Lewis, the son of the appellant, was a laborer in the employ of the Silver King Mining company, and while there he was injured by a rock which he was struck on the head by a rock which some of the other employees had dumped out from a loaded wagon from the hill above. Lewis sustained a fracture of the skull, and his mother brought suit for \$20,000. The case was non-suited.

The opinion is written by Justice Baskin. Justices Baskin and Richards concurring in the result, and directing a full trial of the damage case.

## BISHOP WOOLLEY'S WILL.

Late Pioneer Citizen Left a Valuable Estate to Be Administered Upon.

The will of Samuel A. Woolley, who died March 23 last, was yesterday filed for probate. Elizabeth Ann, the widow, and Amos Marvin Woolley are named as executors of the will. The personal property left amounts in value to \$39,824, and the real estate is valued at \$15,500. There are eleven heirs to the estate.

The deceased empowers the executors to pay the tithing on his income to the church for letters of administration of the estate. Should any dispute arise among the heirs as to the proper construction of the wording of the will, deceased directed that it should be settled by arbitration, the heirs on each side to choose an arbitrator, and the two to choose a third. The petition will be heard June 2.

## TWO OLD ESTATES.

Decedents of '84 and '97 Leave Property for Heirs.

A petition for letters of administration of the estate of John Hill was filed with the county clerk yesterday by his widow, Sarah Hill.

John Hill died in February, 1884, leaving a small property in real estate, worth about \$1,500, and personal property valued at \$50. The petition will be heard May 19.

Lillie E. Clark yesterday filed a petition for letters of administration of the estate of her husband, William C. Clark, who died intestate on Sept. 17, 1897. The deceased left a half interest, amounting to \$3,000, in certain promissory notes made by Louis King of Ouray, Colo. The heirs are the widow and her three children. The petition will be heard by Judge Hiles on May 19.

TRESPASSING ANIMALS.

Heavy Damages Claimed for Alleged Injury to Crops.

Suit was commenced in the district court yesterday by Henry E. Hansen against Aaron Garside, to recover \$1,200, in which amount the plaintiff considers himself damaged by the trespass of Garside's cattle on his land, and which trespass, he claims, destroyed his crops.

## CITIZEN NAMED

Appointments Made by Oregon Short Line Auditor.

## MERITED PROMOTIONS

ARKANSAS COURT RESTRAINS STRIKERS.

Northern Pacific Will Take Immediate Control of the St. Paul & Duluth Road—New Record for Fast Run on Short Line—Shipments of Livestock.

Auditor Hills of the Oregon Short Line yesterday made an appointment for the position of chief clerk of that office, which has been made vacant by the recent resignation of J. T. Andrus. According to surmise the plum falls to C. J. McNitt, who has been acting in the capacity of chief clerk in the auditor's department during the absence of Mr. Hills in the east.

When the notice of the appointment was posted on the bulletin board yesterday morning there was a subdued murmur of satisfaction at the choice in evidence among the thirty odd clerks in the big office; for McNitt is held in universal esteem by the corps of quill drivers in that department.

Coupled with the appointment of the men, Hills walked out an "angelical Caledonian" that of E. E. Raiff, who henceforth will hold down the desk of assistant chief clerk of freight accounts.

Mr. McNitt is well known in local railroad circles as being a sterling man and one well fitted for the responsible position to which he has been appointed.

He has been with the Short Line in the auditor's office since the spring of '97, when that corporation blossomed out under its own title.

Prior to coming out to Salt Lake he was associated with Mr. Hills in the Union Pacific offices at Omaha for a period of fourteen years.

RESTRAINING STRIKERS.

Important Ruling by Arkansas Court Against Strikers.

Little Rock, Ark., May 5.—President Allen N. Johnson of the Little Rock Traction & Electric company, was today appointed receiver of the company by Judge John A. Williams of the United States district court. In his petition to the court, Mr. Johnson claimed that the strikers had seized the cars on account of the strike.

Judge Williams issued an order restraining anyone from interfering in any way with the operation of the cars. No cars have been in use since the strike since 6 o'clock last night.

Northern Pacific Controls.

St. Paul, Minn., May 5.—The Northern Pacific will take absolute control of the St. Paul & Duluth road Monday.

A. B. Plough, until Thursday manager of the St. Paul & Duluth, has returned from the east, and is an interview said:

"I have resigned as vice president and general manager of the Duluth and will be succeeded by Daniel S. Lamont of New York, as director and vice president, and Mr. Kendrick, general manager of the Duluth, will assume the duties of general manager."

Railroad Notes.

George W. Hentz will return from Salt Lake tomorrow.

Traveling Passenger Agent J. O. Goodsell of the Union Pacific returned yesterday from a trip to the wilds of Idaho.

It is stated by "those in the know" that the new Oregon Short Line time card goes into effect on the 15th of this month that the main line service into Boise will be abandoned.

Until the time that the uptown offices of the Rio Grande Western closed yesterday afternoon \$325 had been subscribed by the clerks in the various departments to the Scofield sufferers.

President Burt of the Union Pacific and party are at present up in the Payette timber belt looking into the resources of the country there. He is accompanied by E. H. Dewey of the R. N. & O.

Evan Williams, the veteran Short Line engineer, has broken the record for the local road to the extent of hauling President Burt's special car from Pocatello to Boise, a distance of 265 miles, in five and one-half hours. For a big stretch the speed was seventy-seven miles an hour, the highest speed being attained was that of eighty-four miles an hour.

Official notice of the resignation of Traffic Manager George B. Reeve of the Grand Trunk system was yesterday received at the local railroad office. Reeve holds the record for forty years' continuous service with that company.

With his resignation the office of general traffic manager of the Union Pacific is vacant. He is succeeded by W. E. Davis to that of passenger traffic manager.

Shipments of stock will continue over various roads to the east. Among the livestock that are on the road are twenty-three carloads of Angora goats from Mojave, Cal., shipped by Benton & Carey to South Omaha. Of this consignment the Union Pacific has secured fifteen and the Denver & Rio Grande the remaining eight cars. The latter road yesterday also secured eleven cars of horses for shipment to Omaha.

Real Estate Transfers.

Gilbert Babbage to Katherine C. Belcher, 124½ rods northwest corner of 1st and 1st, block 2, five-acre plat C..... \$300

H. M. Pearson to Mary Tripp, lot 2, block 2, range 1 east..... 500

Eva W. Cummings and husband to J. W. Mumford, 2½ rods north of block 7, plat E..... 400

L. M. Rutt to R. Hamilton, east half lot 1, block 6, plat D..... 200

Eva M. Jensen to J. Pehrson, 17½ rods northeast from 23 rods east of southeast corner is on, block 18, ten-acre plat A..... 150

John Jensen to Christina Pehrson, half interest in 17½ rods northeast from 23 rods east of southeast corner lot 2, block 18, ten-acre plat A..... 150

Houston Real Estate Investment company to Frederick Groves, lot 2, block 2, La Yeta Place..... 100

Louisa Bawden to J. M. Child et al., part southeast quarter section 25, township 1 south, range 1 east..... 1,100

T. B. Moore to G. S. Moore, lots 27 and 28, block 2, Rice & Gelder's addition..... 1

Catherine Dykman et al. to Eliza D. Fletcher, 2½ rods southeast from 24 rods south of northeast corner lot 4, block 72, plat C..... 185

R. A. Briggs to John Dubel, 25 feet by 6 rods southeast from 24 rods south of northwest corner lot 2, block 18, plat B..... 800

HEARD AND SEEN

IN TIMMONY'S COURT

Charles H. Needham, Ed Lucy and Oscar Double, three sorry-faced remnants of legs, were so patient that the judge didn't have the heart to sentence them. Besides, Diehl wanted to see the ball game, so they were discharged in one, two, three order.

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"Morris J. Lynch, you are charged

with having been unlawfully, br-r-r-r," said Diehl, his voice ending in a deep roll. Diehl was in a hurry. He wanted to see the ball game. But Morris did not appear. He was still in jail sleeping off the effects of his worshipping at the shrine of Bacchus.

J. Jones and E. Taylor, two hack drivers, had left their carriages standing in places not designated in the ordinances as hack stands. The former pleaded not guilty and made a big talk to acquit himself. But Diehl said, "We rest our case," for the ball game was scheduled to start soon. They were discharged, and Diehl looked out of the window for a car.

"Adrian Pintro" said the judge. "There are no witnesses for the prosecution present," said Diehl, hurriedly, for the car was waiting.

"The case is dismissed," replied his honor, and Diehl made a run for the car.

Amusement For You.

Free stage from Fort Douglas to Wagener's grove Sundays from 1 p. m. to 2 p. m.

HUNG THE MURDERER

Sensational Case of Lynch Law in Alaska.

BUT THREE IN THE MOB

NO OTHER WAY TO DISPOSE OF THE PRISONER.

Had Killed Man and Was Kept in Custody For Month Awaiting Opportunity to Notify Authorities—Loss of Schooner and Five Men on Board.

Seattle, Wash., May 5.—Among the passengers from Latusya bay to Juneau on the Bertha, was a man named Nelson and his wife, who reported to the authorities at Juneau a sensational case of murder and lynching which occurred at Latusya bay last November.

According to their story, they and two others—white men—were at dinner one day, when Steve Severt, one of the men, suddenly walked out and returned with a revolver, shot and killed the other white man, wounded the woman, but before he could do further damage was disarmed by Nelson. The latter and another white man, aided by an Indian, kept Severt a prisoner for a month, meanwhile trying to communicate with the authorities at Juneau.

Finally, fearing Severt would escape or murder them, he was hanged by his wife then came to Juneau by the first steamer and they were released.

The American schooner, Bertha, which arrived today from Kahutah and Juneau, brings news of the loss of a schooner and five men who were aboard her.

The schooner, which was lost between Juneau and Yakutat, April 22 last. The master of the Bertha contracted to tow the two-masted schooner from Juneau to Latusya bay for the Latusya Bay Gold Mining company. Owing to stress of weather, the Bertha after starting with the Dora was, it is claimed, unable to land at Latusya, where the Dora was intended to land her at Yakutat bay.

About forty-five miles south of Yakutat bay the tow line, which was very short, broke and the schooner was seen by passengers of the Bertha, the crew of the schooner were hard at the pumps. She was still under sail. Nothing since has been heard from her, but a search of some twenty miles along the coast resulted in the finding of one dead body, that of Peter Van Buren, a miner aged 35, who was a passenger on the schooner.

The schooner was towed to the shore at Cape Phipps April 22, also a mass of wreckage, part of the schooner. There were few other persons on the schooner, all of whom undoubtedly perished. They were sailors, but passengers. Their names are unknown.

Best Work on Earth.

On shirts, collars, flannels, blankets and lace curtains.

TROY STEAM LAUNDRY, 166 Main Street.

EXCURSION TO PORTLAND.

Round Trip Only \$31.50.

Via the Oregon Short Line, May 16. For particulars call at city ticket office, 201 South Main street.

Fancy Hosiery.

For men, new colorings, patterns and importations.

BROWN, TERRY & WOODRUFF CO., 166 Main Street.

SOMETHING NEW FOR TEACHERS AND ALL OTHERS.

The Illinois Central railroad's new line, Omaha to Chicago. Wide vestibule cars, new throughout. For reclining chair cars, dining and sleeping cars, buffet, library, smoking car, all through trains. Excursion, May 15 and 16.

CHICAGO AND RETURN, \$44.50. Final return limit, Sept. 9, 1900.

DONALD ROSE, Commercial Agent, 75 West Second Street, Salt Lake City.

EXCURSION TO PORTLAND.

Round Trip Only \$31.50.

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LET CHINESE COME IN.

Bill Introduced in Congress to Repeal the Exclusion Act.

Washington, May 5.—Representative Bakers of Maryland has introduced a bill to repeal the Chinese exclusion laws, and making the general immigration laws applicable to Chinese who shall themselves be able to read the constitution of the United States in English or the Chinese language.

Men's Neckwear.

Exclusive patterns and shapes.

BROWN, TERRY & WOODRUFF CO., 166 Main Street.

Property of Penney's.

The following articles were then introduced as property belonging to the Penney's, and found in possession of the defendant: One common black woolen shawl, a pair of suspenders, pocketknife, two ore sacks, two horse collars, two names, one mineral glass, Mrs. Penney identified the shawl by its general appearance, but not by any special or private marks. The other things she testified she could not positively identify, but, after reasoning the things her husband took with him.

William Penney, a son of the missing man, identified one collar and name as belonging to the outfit his father left with him. He had also been in the search for his missing kindred, but had failed in finding anything leading to their whereabouts.

Sheriff Kelley of this county was then called, but Mr. Kelley's testimony failed to throw any light on the disappearance of W. Penney and son. Other witnesses were called, but no further light was thrown upon the mystery, other than a general way identifying some of

## NEWS FROM OVER THE STATE

SILVER KING ACCIDENT.

Ralph Wardle Injured—Public School Affairs.

(Special Correspondence.)

Park City, May 4.—Ralph Wardle, a Silver King miner, was working on the 900 level, was struck by a large boulder this morning, badly bruising his arm and body. A physician was hastily summoned from town and upon examination it was found that no bones were broken, although the accident will lay the victim up for several days.

Thursday, in this city, at the home of Mr. and Mrs. Frank Cargee, Mr. James Yates and Mrs. Rosalie Moser of Salt Lake were united in marriage. Rev. Mr. Worral officiating. The young couple departed for Mercer yesterday.

The school trustees of the past week and decided on leaving a 7 mills tax for the school year, as follows: Current expenses, 4½ mills; school bonds, 1½ mills; high school, 1 mill; sinking fund, 1 mill. The following named teachers were employed for the coming year: L. T. Gallagher, Miss Martha Lanning, Miss Eva D. Connor, Miss Mamie Martin, Miss Thelma Norstrom, Miss M. Larson, Miss Jean Pearson and Miss Maud Gray. C. A. Blocher was re-elected superintendent, which will be to the satisfaction of the patrons of the schools.

Park lodge No. 4, Knights of Pythias, was to have given a grand entertainment next Tuesday, but the programme has been abandoned out of respect to the dead Pythians at Scofield.